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JAN 24 2003

OFFICE OF DIRECTOR  
TECHNOLOGY CENTER

LOS ANGELES OFFICE  
6601 WEST Slauson Boulevard  
SUITE 178

LOS ANGELES, CALIFORNIA 90230

TELEPHONE  
(310) 645-8480

January 24, 2003

<sup>25</sup>  
Via Fax To: (703) 308-7782

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

ATTN: Diego Guitierrez  
Supervisory Examiner  
Group Art Unit 2800

Re: U.S. Patent Application Serial No. 09/758,934  
for Personnel Guidance and Location Control System

Dear Sir:

The applicant in the above-identified patent application is herewith filing a request to reinstate an abandoned patent application, a supporting declaration and a response to the Office Action dated June 5, 2002.

It is believed no fee is required for the submission of this petition, since any error does not rest on the part of the applicant.

Please charge any additional costs or credit any overpayment to Deposit Account No. 19-0258.

Dated: January 24, 2003

Respectfully submitted,



ROBERT J. SCHAAP  
Registration No. 20,577  
Attorney for Applicant  
(818) 346-6555

#3

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: )  
 )  
DAN PHARO ET AL. )  
 )  
SERIAL NO. 09/758,934 )  
 )  
FILED: JANUARY 11, 2001 ) GROUP ART UNIT NC. 2859  
 )  
TITLE: PERSONNEL GUIDANCE AND )  
LOCATION CONTROL SYSTEM )  
 )  
EXAMINER: RYAN T. HAYLECK )

REQUEST TO REINSTATE AN ABANDONEDPATENT APPLICATION

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

On December 9, 2002, the petitioner's undersigned representatives office received a telephone call from Examiner Guadalupe, an Examiner in the above-identified application. Prior to that telephone call the petitioner has not received any communication for almost a one year period.

In the telephone conversation on December 9, 2002, Ms. Guadalupe courteously indicated that an office action was issued on June 5, 2002, and that there would be a notice of abandonment if no response was filed. The petitioner's undersigned representative • advised that they had received neither the office action of June 5, 2002, or any notice of abandonment. Petitioner examined the

mailing address and apparently the mailing address was correct. Petitioner's undersigned representative therefore cannot explain why the office action was not received. Nevertheless, petitioner had no intention whatsoever of abandoning this application.

Examiner Guadalupe did then courteously forward a copy of the office action to the undersigned so that a response could be prepared and filed along with the petition to revive. Accordingly, the petitioner is submitting herewith an Amendment B in response to that office action dated June 5, 2002.

The petitioner has never received, through the normal mail or any other means, other than by recent fax from the Examiner on that document dated June 5, 2002, and was unable to therefore respond to same. The representative of the petitioner has an office in a building in which all mail is delivered to a central mail room and is retrieved from that mail room by the various occupants of that building. The petitioner's representative has one person who daily retrieves the mail and that person, in this case, is Ms. Liliana Cancino. Ms. Cancino always retrieves the mail and when the mail is opened, she automatically date stamps every piece of mail, except for official documents, such as issued U.S. patents or registrations.

When Ms. Cancino opens and date stamps incoming mail, if a response date is required, then she automatically docketts that response date in her docket book and notes the response date on the

document and initials same. She then gives that document to the representative's secretary, Ms. Pauline Barraza, who, in turn, docketts same and also initials the document. In this way, when the undersigned receives the document, he can immediately examine the document in order to see that it has been properly docketed.

If the petitioner's representative had received that document dated June 5, 2002, it would have been docketed in the docket books of both Ms. Cancino and Ms. Barraza for review by September 5, 2002. The petitioner is enclosing photocopies of the docket sheets for September 2002 to show that no entry thereof was ever made. This was for the reason that the document from the U.S. Patent and Trademark Office was never received in this office.

The petitioner has diligently prosecuted his applications and is desirous of securing patent protection thereon. The petitioner therefore petitions the U.S. Patent and Trademark Office to revive this application inasmuch as it became abandoned as a result of no failure on the part of the petitioner.

In order to support this petition to revive the application, the petitioner is herewith submitting a declaration of Ms. Cancino and a declaration Ms. Barraza, who will aver to those facts recited in this petition.

Please charge any cost in connection with this petition to  
Deposit Account No. 19-0258.

Dated: January 24, 2003

Respectfully submitted,

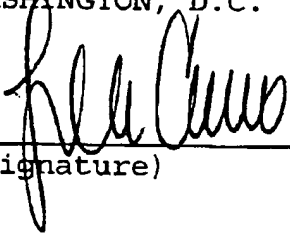


ROBERT J. SCHAAP  
Registration No. 20,577  
Attorney for Applicant  
(818) 346-6555

D:\Data\Pharo\09758934\Request to Reinstate

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231 on 1/24, 2003.

  
(Signature)

Date of Signature: 1/24, 2003

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:	)	
	)	
DAN PHARO ET AL.	)	
	)	
SERIAL NO.: 09/758,934	)	
	)	
FILED: JANUARY 11, 2002	)	GROUP ART UNIT NO. 2859
	)	
TITLE: PERSONNEL GUIDANCE	)	
AND CONTROL SYSTEM	)	
	)	
	)	
EXAMINER: RYAN T. HAYLECK	)	

DECLARATION OF LILIANA CANCINO IN SUPPORT OF  
REQUEST TO REINSTATE AN ABANDONED PATENT APPLICATION

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

COMES NOW, LILIANA CANCINO, and states and declares as follows:

I am the Office Administrator in the office of Robert J. Schaap, A Law Corporation, and have been for many years.

As part of my duties, on a daily basis, I walk to the mail room of the office building in which we are located, since all mail is delivered to that mail room. Mail is placed in a separate compartment allocated for this office, and I will pick up the mail in that compartment and deliver same to this office. When the mail

is received, I docket the mail and docket any matters requiring response, and give a copy of that document to the secretary of Mr. Schaap, namely, Pauline Barraza. She similarly makes an entry in her docket book. We also initial each Office Action which is received, and which identifies the date in which a response is due and is initialed by both Mr. Schaap's secretary and myself.

We received a telephone communication from Examiner Guadalupe on December 9, 2002 inquiring as to whether we intended to abandon this application. I inquired of Mr. Schaap and he informed me there was no intent to abandon this application. I informed Ms. Guadalupe to this effect and requested a copy of the office action. Shortly thereafter a copy of the office was sent.

I do know that we have never received a copy of the Office Action dated June 5, 2002, or any Notice of Abandonment. Otherwise, I would have brought the matter to Mr. Schaap's attention. I know that he would have immediately taken some action. I am also aware that this application is very important to the client.

When an Office Action or other document requiring response is received, I immediately docket that Office Action and provide the same to Mr. Schaap's secretary, who also docket the Office Action in a separate docket book. The enclosed sheets are docket sheets from our docket books for September 2002.

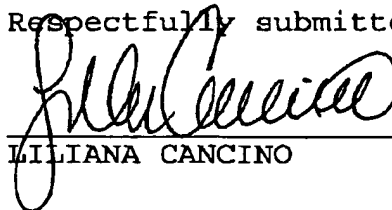
I have also personally examined the file of this application, and I have examined the other files of Dan Pharo et al. We have found no Office Action dated June 5, 2002.



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Dated: 1-24, 2003

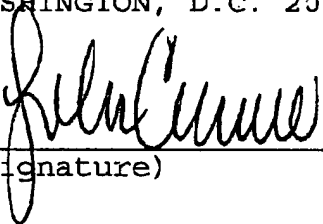
Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Liliana Cancino', is written over a horizontal line.

LILIANA CANCINO

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231 on 1/24, 2003.

  
(Signature)

Date of Signature: 1/24, 2003

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: )  
 )  
DAN PHARO ET AL. )  
 )  
SERIAL NO. 09/758,934 )  
 )  
FILED: January 11, 2001 ) GROUP ART UNIT NO. 2859  
 )  
 )  
TITLE: Personnel Guidance and )  
Location Control System )  
EXAMINER: RYAN T. HAYLECK

DECLARATION OF PAULINE BARRAZA IN SUPPORT OF  
REQUEST TO REINSTATE AN ABANDONED  
PATENT APPLICATION

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

NOW COMES PAULINE BARRAZA, and states and declares as follows:

I am the secretary of Robert J. Schaap and have been his secretary in this capacity for several years. I am familiar with patent practice and the rigorous requirements of docketing procedures.

When Ms. Liliana Cancino retrieves the mail, she opens the mail, date stamps the mail and will docket any entries required, obtain the file for the document that was received, and then gives same to me. I thereupon briefly review the document and, if a due date is required, I will make an entry in my docket book. Both Ms. Cancino and I enter our initials on the document to show that we

made the docket entry and, in addition, enter the docketed date so that Mr. Schaap can review same. I then give the file with the documents clipped to the top to Mr. Schaap.

After a response to that office action or other matter requiring a response has been prepared and sent to the U.S. Patent and Trademark Office, I am aware that Ms. Cancino draws a red line through her docket entry so we know that the matter has been addressed.

We are usually quite cautious about entering docket due dates for all matters from the U.S. Patent and Trademark Office and I know that if the document of June 5, 2002, were received in this office, it would have been docketed in the September 2002 page both Ms. Cancino and my docket books.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

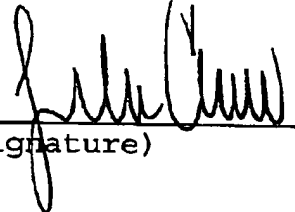
Dated: 1/24, 2003

  
PAULINE BARRAZA

D:\Data\Pharo\09758934\Declaration of Pauline Barraza

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231 on 1/24, 2001.

 Date of Signature: 1/24, 2001  
(Signature)

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September, 2002

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